

26 April 1955

## MEMORANDUM FOR THE RECORD

SUBJECT: Proposed CIA Building

1. I spoke to Mr. Lyle Fisher, General Counsel to the Comptroller General, about funds for the proposed CIA building. I asked if he saw any objection to using prior year unobligated but unexpired funds if the Congress approved. He felt that if the language clearly and unequivocally authorized the use of such funds there would be no objection from the Comptroller General.

2. He raised the question, however, whether we might in any way be limited by the provision of Section 106 of Public Law 428, which is the Independent Offices Appropriation Act for Fiscal Year 1955. This provision says that no part of any appropriations made available by Public Law 428 shall be used for the purchase or sale of real estate or for the purpose of establishing new offices outside the District of Columbia unless the building program had been approved by the Congress and appropriations made therefor. I said I felt that technically we were not bound and our funds were not made available by Public Law 428 but that I would check further. I think my position is almost certainly correct but that to avoid any possibility of the question being raised we should try, both in our authorization and appropriation language, to make clear that they apply equally to acquisition of land and construction inside or outside the District of Columbia, leaving us perfectly free to locate on the best available site.

151  
LAWRENCE R. HOUSTON  
General Counsel

cc: DD/S  
Comptroller  
Legislative Counsel